

**FILED**

JAN 19 2011

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA, ) No. CR 08-00864 CW (DMR)  
Plaintiff, )  
v. ) DETENTION ORDER  
ERIC MORRIS, )  
Defendant. )  
\_\_\_\_\_  
)

I. DETENTION ORDER

Defendant Eric Morris is charged in an indictment with a violation of 18 U.S.C. § 751(a) (Escape). On January 13, 2011, the United States moved for Mr. Morris' detention pursuant to 18 U.S.C. § 3142(f)(2)(A) (because there is a serious risk that the defendant will flee), and asked for a detention hearing, as permitted by 18 U.S.C. § 3142(f). Mr. Morris did not request a full bail study at this time. Pretrial Services did, however, prepare a criminal record report. At the January 19, 2011 hearing before this Court, Mr. Morris waived the timing of his right to proffer information at a detention hearing, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine

DETENTION ORDER  
CR 08-00864 CW (DMR)

adverse witnesses, and to present information by proffer or otherwise), but he retained his right to raise any additional relevant information at a later hearing. .

After considering the limited information available to the Court, and the factors set forth in 18 U.S.C. § 3142(g), the Court detains Mr. Morris as a serious risk of flight and finds that no condition or combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure his appearance in this case. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985).

## II. CONCLUSION

The Court detains Mr. Morris as a serious flight risk. Because Defendant waived his right to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant information at a later hearing, the Court orders that the hearing may be reopened at Defendant's request at any future time.

Mr. Morris shall remain committed to the custody of the Attorney General.

IT IS SO ORDERED.

DATED: January 19, 2011

**DONNA M. RYU**  
United States Magistrate Judge